

RESOLUTION NO. 2015-14

A RESOLUTION APPROVING THE ISSUANCE OF REFUNDING REVENUE BONDS BY THE CITY OF SEARCY, ARKANSAS (HARDING UNIVERSITY AND HARDING PLACE) PUBLIC EDUCATIONAL AND RESIDENTIAL HOUSING FACILITIES BOARD; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, by resolution adopted April 8, 2015, the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board (the "Board") has expressed its intent to issue its (a) Refunding Revenue Bonds, Series 2015A, in the principal amount of not to exceed \$1,530,000 (the "Series 2015A Bonds") for the purpose of refunding its Revenue Bonds, Refunding Series 2010A (the "Series 2010A Bonds") and (b) its Refunding Revenue Bonds, Series 2015B, in the principal amount of not to exceed \$4,495,000 (the "Series 2015B Bonds") for the purpose of refunding its Revenue Bonds, Refunding and Capital Improvement Series 2010B (the "Series 2010B Bonds"); and

WHEREAS, the Series 2010A Bonds refunded the Board's Refunding and Capital Improvement Revenue Bonds, Series 2001 and the Board's Refunding Revenue Bonds, Series 2003; and

WHEREAS, the Series 2010B Bonds refunded the Board's Capital Improvement Revenue Bonds, Series 1998B (the "Series 1998B Bonds") and financed the acquisition, construction, furnishing and equipping of capital improvements at Harding University; and

WHEREAS, the City Council of the City has determined that the public purposes for which the Series 2015A Bonds and the Series 2015B Bonds (collectively, the "Bonds") are to be issued serve a proper need;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Searcy, Arkansas:

Section 1. The issuance of the Series 2015A Bonds by the Board in the aggregate principal amount of not to exceed \$1,530,000 for the purpose of refunding the Series 2010A Bonds is hereby authorized.

Section 2. The issuance of the Series 2015B Bonds by the Board in the aggregate principal amount of not to exceed \$4,495,000 for the purpose of refunding the Series 2010B Bonds is hereby authorized.

Section 3. By the adoption of this Resolution, the City has not assumed any direct or indirect financial responsibility for the payment of the Bonds.

Section 4. The City hereby consents to the designation of the Series 2015A Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The Series 2015A Bonds will be treated as having been issued by the City for the purpose of determining whether and to what extent any tax-exempt obligations issued by the City during calendar year 2015 may be designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 5. The Series 2015B Bonds shall be "deemed designated" as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, based upon the following: (a) the principal amount of the Series 2015B Bonds shall not exceed the outstanding principal amount of the Series 2010B Bonds, (b) the average maturity date of the Series 2015B Bonds shall not be later than the average maturity of the Series 2010B Bonds; (c) the Series 2015B Bonds shall have a maturity date which is not later than the date which is 30 years after the date the Series 1998B Bonds were issued and (d) the Series 2010B Bonds shall be redeemed within 90 days after the Series 2015B Bonds are issued.

Section 6. The appointment of Friday, Eldredge & Clark, LLP, as Bond Counsel and Stephens Inc. and Crews & Associates, Inc., as Underwriters for the Bonds is hereby approved.

Section 7. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This Resolution shall be in force and effect immediately upon and after its passage.

PASSED and approved this 14th day of April, 2015.

/s/ David Morris
Mayor

ATTEST:

/s/ Jerry Morris
City Clerk

(SEAL)